

House Study Bill 728 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S BUDGET
BILL)

A BILL FOR

1 An Act relating to state and local financial matters by
2 revising certain appropriations and appropriating federal
3 funds made available from federal block grants, the federal
4 American Recovery and Reinvestment Act of 2009, and other
5 nonstate sources, allocating portions of federal block
6 grants, and providing procedures if federal funds are more
7 or less than anticipated or if federal block grants are more
8 or less than anticipated, and including effective date and
9 retroactive applicability provisions.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

DIVISION I

FEDERAL BLOCK GRANT AND OTHER
FEDERAL FUNDING — FY 2010-2011

Section 1. SUBSTANCE ABUSE APPROPRIATION.

1. There is appropriated from the fund created by section 8.41 to the department of public health for the federal fiscal year beginning October 1, 2010, and ending September 30, 2011, the following amount:

..... \$ 13,524,616

a. Funds appropriated in this subsection are the anticipated funds to be received from the federal government for the designated federal fiscal year under 42 U.S.C., ch. 6A, subch. XVII, part B, subpart ii, which provides for the substance abuse prevention and treatment block grant. The department shall expend the funds appropriated in this subsection as provided in the federal law making the funds available and in conformance with chapter 17A.

b. Of the funds appropriated in this subsection, an amount not exceeding 5 percent shall be used by the department for administrative expenses.

c. The department shall expend no less than an amount equal to the amount expended for treatment services in the state fiscal year beginning July 1, 2009, for pregnant women and women with dependent children.

d. Of the funds appropriated in this subsection, an amount not exceeding \$24,585 shall be used for audits.

2. At least 20 percent of the funds remaining from the appropriation made in subsection 1 shall be allocated for prevention programs.

3. In implementing the federal substance abuse prevention and treatment block grant under 42 U.S.C., ch. 6A, subch. XVII, and any other applicable provisions of the federal Public Health Service Act under 42 U.S.C., ch. 6A, the department shall apply the provisions of Pub. L. No. 106-310, § 3305, as codified in 42 U.S.C. § 300x-65, relating to services

1 under such federal law being provided by religious and other
2 nongovernmental organizations.

3 Sec. 2. COMMUNITY MENTAL HEALTH SERVICES APPROPRIATION.

4 1. a. There is appropriated from the fund created by
5 section 8.41 to the department of human services for the
6 federal fiscal year beginning October 1, 2010, and ending
7 September 30, 2011, the following amount:

8 \$ 3,368,868

9 b. Funds appropriated in this subsection are the
10 anticipated funds to be received from the federal government
11 for the designated federal fiscal year under 42 U.S.C., ch.
12 6A, subch. XVII, part B, subpart i, which provides for the
13 community mental health services block grant. The department
14 shall expend the funds appropriated in this subsection as
15 provided in the federal law making the funds available and in
16 conformance with chapter 17A.

17 c. The department shall allocate not less than 95 percent
18 of the amount of the block grant to eligible community mental
19 health services providers for carrying out the plan submitted
20 to and approved by the federal substance abuse and mental
21 health services administration for the fiscal year involved.

22 d. Of the amount allocated to eligible services providers
23 under paragraph "c", 70 percent shall be distributed to
24 the state's accredited community mental health centers
25 established or designated by counties in accordance with law
26 or administrative rule. If a county has not established
27 or designated a community mental health center and has
28 received a waiver from the mental health, mental retardation,
29 developmental disabilities, and brain injury commission,
30 the mental health services provider designated by that
31 county is eligible to receive funding distributed pursuant
32 to this paragraph in lieu of a community mental health
33 center. The funding distributed shall be used by recipients
34 of the funding for the purpose of developing and providing
35 evidence-based practices and emergency services to adults with

1 a serious mental illness and children with a serious emotional
2 disturbance. The distribution amounts shall be announced at
3 the beginning of the federal fiscal year and distributed on
4 a quarterly basis according to the formulas used in previous
5 fiscal years. Recipients shall submit quarterly reports
6 containing data consistent with the performance measures
7 approved by the federal substance abuse and mental health
8 services administration.

9 2. An amount not exceeding 5 percent of the funds
10 appropriated in subsection 1 shall be used by the department
11 of human services for administrative expenses. From the
12 funds set aside by this subsection for administrative
13 expenses, the department shall pay to the auditor of state
14 an amount sufficient to pay the cost of auditing the use
15 and administration of the state's portion of the funds
16 appropriated in subsection 1. The auditor of state shall bill
17 the department for the costs of the audits.

18 Sec. 3. MATERNAL AND CHILD HEALTH SERVICES APPROPRIATIONS.

19 1. There is appropriated from the fund created by section
20 8.41 to the department of public health for the federal fiscal
21 year beginning October 1, 2010, and ending September 30, 2011,
22 the following amount:

23 \$ 1,412,862

24 a. The funds appropriated in this subsection are the funds
25 anticipated to be received from the federal government for
26 the designated federal fiscal year under 42 U.S.C., ch. 7,
27 subch. V, which provides for the maternal and child health
28 services block grant. The department shall expend the funds
29 appropriated in this subsection as provided in the federal law
30 making the funds available and in conformance with chapter 17A.

31 b. Funds appropriated in this subsection shall not be used
32 by the university of Iowa hospitals and clinics for indirect
33 costs.

34 2. An amount not exceeding 10 percent of the funds
35 appropriated in subsection 1 shall be used by the department of

1 public health for administrative expenses.

2 3. The departments of public health, human services, and
3 education and the university of Iowa's mobile and regional
4 child health specialty clinics shall continue to pursue to the
5 maximum extent feasible the coordination and integration of
6 services to women and children.

7 4. a. Sixty-three percent of the remaining funds
8 appropriated in subsection 1 shall be allocated to supplement
9 appropriations for maternal and child health programs within
10 the department of public health. Of these funds, \$300,291
11 shall be set aside for the statewide perinatal care program.

12 b. Thirty-seven percent of the remaining funds appropriated
13 in subsection 1 shall be allocated to the university of Iowa
14 hospitals and clinics under the control of the state board
15 of regents for mobile and regional child health specialty
16 clinics. The university of Iowa hospitals and clinics shall
17 not receive an allocation for indirect costs from the funds for
18 this program. Priority shall be given to establishment and
19 maintenance of a statewide system of mobile and regional child
20 health specialty clinics.

21 5. The department of public health shall administer the
22 statewide maternal and child health program and the disabled
23 children's program by conducting mobile and regional child
24 health specialty clinics and conducting other activities to
25 improve the health of low-income women and children and to
26 promote the welfare of children with actual or potential
27 handicapping conditions and chronic illnesses in accordance
28 with the requirements of Tit. V of the federal Social Security
29 Act.

30 Sec. 4. PREVENTIVE HEALTH AND HEALTH SERVICES
31 APPROPRIATIONS.

32 1. There is appropriated from the fund created by section
33 8.41 to the department of public health for the federal fiscal
34 year beginning October 1, 2010, and ending September 30, 2011,
35 the following amount:

1 \$ 1,114,623

2 Funds appropriated in this subsection are the funds
3 anticipated to be received from the federal government for
4 the designated federal fiscal year under 42 U.S.C., ch. 6A,
5 subch. XVII, part A, which provides for the preventive health
6 and health services block grant. The department shall expend
7 the funds appropriated in this subsection as provided in the
8 federal law making the funds available and in conformance with
9 chapter 17A.

10 2. Of the funds appropriated in subsection 1, an amount
11 not more than 10 percent shall be used by the department for
12 administrative expenses.

13 3. Of the funds appropriated in subsection 1, the specific
14 amount of funds stipulated by the notice of the block grant
15 award shall be allocated for services to victims of sex
16 offenses and for rape prevention education.

17 4. After deducting the funds allocated in subsections 2 and
18 3, the remaining funds appropriated in subsection 1 may be used
19 by the department for healthy people 2011/healthy Iowans 2011
20 program objectives, preventive health advisory committee, and
21 risk reduction services, including nutrition programs, health
22 incentive programs, chronic disease services, emergency medical
23 services, monitoring of the fluoridation program and start-up
24 fluoridation grants, and acquired immune deficiency syndrome
25 services. The moneys specified in this subsection shall not be
26 used by the university of Iowa hospitals and clinics or by the
27 state hygienic laboratory for the funding of indirect costs.

28 Sec. 5. STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM
29 APPROPRIATION.

30 1. There is appropriated from the fund created by section
31 8.41 to the department of justice for the federal fiscal year
32 beginning October 1, 2010, and ending September 30, 2011, the
33 following amount:

34 \$ 1,482,096

35 Funds appropriated in this subsection are the anticipated

1 funds to be received from the federal government for the
2 designated fiscal year under 42 U.S.C., ch. 46, § 3796gg-1,
3 which provides for grants to combat violent crimes against
4 women. The department of justice shall expend the funds
5 appropriated in this subsection as provided in the federal law
6 making the funds available and in conformance with chapter 17A.

7 2. An amount not exceeding 10 percent of the funds
8 appropriated in subsection 1 shall be used by the department of
9 justice for administrative expenses. From the funds set aside
10 by this subsection for administrative expenses, the department
11 shall pay to the auditor of state an amount sufficient to pay
12 the cost of auditing the use and administration of the state's
13 portion of the funds appropriated in subsection 1.

14 Sec. 6. RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE
15 PRISONERS FORMULA GRANT PROGRAM. There is appropriated from
16 the fund created by section 8.41 to the governor's office of
17 drug control policy for the federal fiscal year beginning
18 October 1, 2010, and ending September 30, 2011, the following
19 amount:

20 \$ 250,000

21 Funds appropriated in this section are the funds anticipated
22 to be received from the federal government for the designated
23 fiscal year under 42 U.S.C., ch. 46, subch. XII-G, which
24 provides grants for substance abuse treatment programs in state
25 and local correctional facilities. The drug policy coordinator
26 shall expend the funds appropriated in this section as provided
27 in federal law making the funds available and in conformance
28 with chapter 17A.

29 Sec. 7. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT
30 PROGRAM APPROPRIATION.

31 1. There is appropriated from the fund created by section
32 8.41 to the governor's office of drug control policy for the
33 federal fiscal year beginning October 1, 2010, and ending
34 September 30, 2011, the following amount:

35 \$ 3,000,000

1 Funds appropriated in this subsection are the anticipated
2 funds to be received from the federal government for the
3 designated fiscal year under 42 U.S.C., ch. 46, subch. V, which
4 provides for the Edward Byrne memorial justice assistance grant
5 program. The drug policy coordinator shall expend the funds
6 appropriated in this subsection as provided in the federal law
7 making the funds available and in conformance with chapter 17A.

8 2. An amount not exceeding 10 percent of the funds
9 appropriated in subsection 1 shall be used by the drug policy
10 coordinator for administrative expenses. From the funds set
11 aside by this subsection for administrative expenses, the
12 drug policy coordinator shall pay to the auditor of state an
13 amount sufficient to pay the cost of auditing the use and
14 administration of the state's portion of the funds appropriated
15 in subsection 1.

16 Sec. 8. COMMUNITY SERVICES APPROPRIATIONS.

17 1. a. There is appropriated from the fund created by
18 section 8.41 to the division of community action agencies of
19 the department of human rights for the federal fiscal year
20 beginning October 1, 2010, and ending September 30, 2011, the
21 following amount:

22 \$ 7,530,822

23 Funds appropriated in this subsection are the funds
24 anticipated to be received from the federal government for the
25 designated federal fiscal year under 42 U.S.C., ch. 106, which
26 provides for the community services block grant. The division
27 of community action agencies of the department of human rights
28 shall expend the funds appropriated in this subsection as
29 provided in the federal law making the funds available and in
30 conformance with chapter 17A.

31 b. The administrator of the division of community action
32 agencies of the department of human rights shall allocate
33 not less than 96 percent of the amount of the block grant to
34 eligible community action agencies for programs benefiting
35 low-income persons. Each eligible agency shall receive a

1 minimum allocation of not less than \$100,000. The minimum
2 allocation shall be achieved by redistributing increased
3 funds from agencies experiencing a greater share of available
4 funds. The funds shall be distributed on the basis of
5 the poverty-level population in the area represented by
6 the community action areas compared to the size of the
7 poverty-level population in the state.

8 2. An amount not exceeding 4 percent of the funds
9 appropriated in subsection 1 shall be used by the division of
10 community action agencies of the department of human rights
11 for administrative expenses. From the funds set aside by
12 this subsection for administrative expenses, the division of
13 community action agencies of the department of human rights
14 shall pay to the auditor of state an amount sufficient to pay
15 the cost of auditing the use and administration of the state's
16 portion of the funds appropriated in subsection 1. The auditor
17 of state shall bill the division of community action agencies
18 for the costs of the audits.

19 Sec. 9. COMMUNITY DEVELOPMENT APPROPRIATIONS.

20 1. There is appropriated from the fund created by section
21 8.41 to the department of economic development for the federal
22 fiscal year beginning October 1, 2010, and ending September 30,
23 2011, the following amount:

24 \$ 26,240,724

25 Funds appropriated in this subsection are the funds
26 anticipated to be received from the federal government for
27 the designated federal fiscal year under 42 U.S.C., ch. 69,
28 which provides for community development block grants. The
29 department of economic development shall expend the funds
30 appropriated in this subsection as provided in the federal law
31 making the funds available and in conformance with chapter 17A.

32 2. An amount not exceeding \$1,149,628 for the federal fiscal
33 year beginning October 1, 2010, shall be used by the department
34 of economic development for administrative expenses for the
35 community development block grant. The total amount used for

1 administrative expenses includes \$624,814 for the federal
2 fiscal year beginning October 1, 2010, of funds appropriated
3 in subsection 1 and a matching contribution from the state
4 equal to \$524,814 from the appropriation of state funds for the
5 community development block grant and state appropriations for
6 related activities of the department of economic development.
7 From the funds set aside for administrative expenses by this
8 subsection, the department of economic development shall pay
9 to the auditor of state an amount sufficient to pay the cost of
10 auditing the use and administration of the state's portion of
11 the funds appropriated in subsection 1. The auditor of state
12 shall bill the department for the costs of the audit.

13 Sec. 10. LOW-INCOME HOME ENERGY ASSISTANCE APPROPRIATIONS.

14 1. There is appropriated from the fund created by section
15 8.41 to the division of community action agencies of the
16 department of human rights for the federal fiscal year
17 beginning October 1, 2010, and ending September 30, 2011, the
18 following amount:

19 \$ 67,802,538

20 The funds appropriated in this subsection are the funds
21 anticipated to be received from the federal government for the
22 designated federal fiscal year under 42 U.S.C., ch. 94, subch.
23 II, which provides for the low-income home energy assistance
24 block grants. The division of community action agencies of the
25 department of human rights shall expend the funds appropriated
26 in this subsection as provided in the federal law making the
27 funds available and in conformance with chapter 17A.

28 2. Up to 15 percent of the amount appropriated in this
29 section that is actually received shall be used for residential
30 weatherization or other related home repairs for low-income
31 households. Of this allocation amount, not more than 10
32 percent may be used for administrative expenses.

33 3. After subtracting the allocation in subsection 2, up to
34 10 percent of the remainder is allocated for administrative
35 expenses of the low-income home energy assistance program of

1 which \$377,000 is allocated for administrative expenses of the
2 division. The costs of auditing the use and administration
3 of the portion of the appropriation in this section that is
4 retained by the state shall be paid from the amount allocated
5 in this subsection to the division. The auditor of state shall
6 bill the division for the audit costs.

7 4. The remainder of the appropriation in this section
8 following the allocations made in subsections 2 and 3, shall be
9 used to help eligible households as defined in 42 U.S.C., ch.
10 94, subch. II, to meet home energy costs.

11 5. Not more than 10 percent of the amount appropriated in
12 this section that is actually received may be carried forward
13 for use in the succeeding federal fiscal year.

14 6. Expenditures for assessment and resolution of
15 energy problems shall be limited to 5 percent of the amount
16 appropriated in this section that is actually received.

17 Sec. 11. SOCIAL SERVICES APPROPRIATIONS.

18 1. There is appropriated from the fund created by section
19 8.41 to the department of human services for the federal fiscal
20 year beginning October 1, 2010, and ending September 30, 2011,
21 the following amount:

22 \$ 16,747,274

23 Funds appropriated in this subsection are the funds
24 anticipated to be received from the federal government for
25 the designated federal fiscal year under 42 U.S.C., ch.
26 7, subch. XX, which provides for the social services block
27 grant. The department of human services shall expend the funds
28 appropriated in this subsection as provided in the federal law
29 making the funds available and in conformance with chapter 17A.

30 2. Not more than \$1,069,342 of the funds appropriated in
31 subsection 1 shall be used by the department of human services
32 for general administration. From the funds set aside in this
33 subsection for general administration, the department of human
34 services shall pay to the auditor of state an amount sufficient
35 to pay the cost of auditing the use and administration of the

1 state's portion of the funds appropriated in subsection 1.

2 3. In addition to the allocation for general administration
3 in subsection 2, the remaining funds appropriated in subsection
4 1 shall be allocated in the following amounts to supplement
5 appropriations for the federal fiscal year beginning October
6 1, 2010, for the following programs within the department of
7 human services:

8 a. Field operations:

9 \$ 6,395,856

10 b. Child and family services:

11 \$ 958,310

12 c. Local administrative costs and other local services:

13 \$ 678,298

14 d. Volunteers:

15 \$ 74,261

16 e. MH/MR/DD/BI community services (local purchase):

17 \$ 7,571,207

18 Sec. 12. SOCIAL SERVICES BLOCK GRANT PLAN. The department
19 of human services during each state fiscal year shall develop a
20 plan for the use of federal social services block grant funds
21 for the subsequent state fiscal year.

22 The proposed plan shall include all programs and services
23 at the state level which the department proposes to fund with
24 federal social services block grant funds, and shall identify
25 state and other funds which the department proposes to use to
26 fund the state programs and services.

27 The proposed plan shall also include all local programs and
28 services which are eligible to be funded with federal social
29 services block grant funds, the total amount of federal social
30 services block grant funds available for the local programs and
31 services, and the manner of distribution of the federal social
32 services block grant funds to the counties. The proposed plan
33 shall identify state and local funds which will be used to fund
34 the local programs and services.

35 The proposed plan shall be submitted with the department's

1 budget requests to the governor and the general assembly.

2 Sec. 13. PROJECTS FOR ASSISTANCE IN TRANSITION FROM
3 HOMELESSNESS.

4 1. Upon receipt of the minimum formula grant from
5 the federal substance abuse and mental health services
6 administration to provide mental health services for the
7 homeless, for the federal fiscal year beginning October 1,
8 2010, and ending September 30, 2011, the department of human
9 services shall assure that a project which receives funds under
10 the formula grant shall do all of the following:

11 a. Provide outreach and engagement to homeless individuals
12 at risk of homelessness and assesses those individuals for
13 serious mental illness.

14 b. Enroll those individuals with serious mental illness who
15 are willing to accept services through the project.

16 c. Provide case management to homeless persons.

17 d. Provide appropriate training to persons who provide
18 services to persons targeted by the grant.

19 e. Assure a local match share of 25 percent.

20 f. Refer homeless individuals and individuals at risk of
21 homelessness to primary health care, job training, educational
22 services, and relevant housing services.

23 2. A project may expend funds for community mental health
24 services, diagnostic services, crisis intervention services,
25 habilitation and rehabilitation services, substance abuse
26 services, supportive and supervisory services to homeless
27 persons living in residential settings that are not otherwise
28 supported, and housing services including minor renovation,
29 expansion, and repair of housing, security deposits, planning
30 of housing, technical assistance in applying for housing,
31 improving the coordination of housing services, the costs
32 associated with matching eligible homeless individuals with
33 appropriate housing, and one-time rental payments to prevent
34 eviction.

35 Sec. 14. CHILD CARE AND DEVELOPMENT APPROPRIATION. There

1 is appropriated from the fund created by section 8.41 to the
2 department of human services for the federal fiscal year
3 beginning October 1, 2010, and ending September 30, 2011, the
4 following amount:

5 \$ 43,635,455

6 Funds appropriated in this section are the funds anticipated
7 to be received from the federal government under 42 U.S.C.,
8 ch. 105, subch. II-B, which provides for the child care and
9 development block grant. The department shall expend the funds
10 appropriated in this section as provided in the federal law
11 making the funds available and in conformance with chapter 17A.

12 Moneys appropriated in this section that remain unencumbered
13 or unobligated at the close of the fiscal year shall revert to
14 be available for appropriation for purposes of the child care
15 and development block grant in the succeeding fiscal year.

16 Sec. 15. PROCEDURE FOR REDUCED FEDERAL FUNDS.

17 1. If the funds received from the federal government for the
18 block grants specified in this Act are less than the amounts
19 appropriated, the funds actually received shall be prorated
20 by the governor for the various programs, other than for the
21 services to victims of sex offenses and for rape prevention
22 education under section 4, subsection 3, of this Act, for which
23 each block grant is available according to the percentages that
24 each program is to receive as specified in this Act. However,
25 if the governor determines that the funds allocated by the
26 percentages will not be sufficient to accomplish the purposes
27 of a particular program, or if the appropriation is not
28 allocated by percentage, the governor may allocate the funds in
29 a manner which will accomplish to the greatest extent possible
30 the purposes of the various programs for which the block grants
31 are available.

32 2. Before the governor implements the actions provided for
33 in subsection 1, the following procedures shall be taken:

34 a. The chairpersons and ranking members of the senate and
35 house standing committees on appropriations, the appropriate

1 chairpersons and ranking members of subcommittees of those
2 committees, and the director of the legislative services agency
3 shall be notified of the proposed action.

4 b. The notice shall include the proposed allocations,
5 and information on the reasons why particular percentages or
6 amounts of funds are allocated to the individual programs,
7 the departments and programs affected, and other information
8 deemed useful. Chairpersons and ranking members notified shall
9 be allowed at least two weeks to review and comment on the
10 proposed action before the action is taken.

11 Sec. 16. PROCEDURE FOR INCREASED FEDERAL FUNDS.

12 1. If funds received from the federal government in the form
13 of block grants exceed the amounts appropriated in sections 1,
14 2, 3, 4, 7, 9, and 11 of this Act, the excess shall be prorated
15 to the appropriate programs according to the percentages
16 specified in those sections, except additional funds shall not
17 be prorated for administrative expenses.

18 2. If actual funds received from the federal government
19 from block grants exceed the amount appropriated in section 10
20 of this Act for the low-income home energy assistance program,
21 not more than 10 percent of the excess may be allocated to the
22 low-income residential weatherization program and not more than
23 15 percent of the excess may be used for administrative costs.

24 3. If funds received from the federal government from
25 community services block grants exceed the amount appropriated
26 in section 8 of this Act, 100 percent of the excess is
27 allocated to the community services block grant program.

28 Sec. 17. PROCEDURE FOR EXPENDITURE OF ADDITIONAL FEDERAL
29 FUNDS. If other federal grants, receipts, and funds and other
30 nonstate grants, receipts, and funds become available or are
31 awarded which are not available or awarded during the period
32 in which the general assembly is in session, but which require
33 expenditure by the applicable department or agency prior
34 to March 15 of the fiscal year beginning July 1, 2010, and
35 ending June 30, 2011, these grants, receipts, and funds are

1 appropriated to the extent necessary, provided that the fiscal
2 committee of the legislative council is notified within thirty
3 days of receipt of the grants, receipts, or funds and the
4 fiscal committee of the legislative council has an opportunity
5 to comment on the expenditure of the grants, receipts, or
6 funds.

7 Sec. 18. OTHER GRANTS, RECEIPTS, AND FUNDS. Federal grants,
8 receipts, and funds and other nonstate grants, receipts,
9 and funds, available in whole or in part of the fiscal
10 year beginning July 1, 2010, and ending June 30, 2011, are
11 appropriated to the following departments and agencies that are
12 designated by and for the purposes set forth in the grants,
13 receipts, or conditions accompanying the receipt of the funds,
14 unless otherwise provided by law:

- 15 1. Department of administrative services.
- 16 2. Department on aging.
- 17 3. Department of agriculture and land stewardship.
- 18 4. Office of auditor of state.
- 19 5. Department for the blind.
- 20 6. Iowa state civil rights commission.
- 21 7. College student aid commission.
- 22 8. Department of commerce.
- 23 9. Department of corrections.
- 24 10. Department of cultural affairs.
- 25 11. Department of economic development.
- 26 12. Department of education.
- 27 13. Office of energy independence.
- 28 14. Iowa ethics and campaign disclosure board.
- 29 15. Iowa finance authority.
- 30 16. Offices of the governor and lieutenant governor.
- 31 17. Governor's office of drug control policy.
- 32 18. Department of human rights.
- 33 19. Department of human services.
- 34 20. Department of inspections and appeals.
- 35 21. Judicial branch.

- 1 22. Department of justice.
- 2 23. Iowa law enforcement academy.
- 3 24. Department of management.
- 4 25. Department of natural resources.
- 5 26. Board of parole.
- 6 27. Department of public defense.
- 7 28. Public employment relations board.
- 8 29. Department of public health.
- 9 30. Department of public safety.
- 10 31. State board of regents.
- 11 32. Department of revenue.
- 12 33. Office of secretary of state.
- 13 34. Iowa state fair authority.
- 14 35. Office for state-federal relations.
- 15 36. Iowa telecommunications and technology commission.
- 16 37. Office of treasurer of state.
- 17 38. Department of transportation.
- 18 39. Department of veterans affairs.
- 19 40. Department of workforce development.

20 DIVISION II

21 FEDERAL AMERICAN RECOVERY AND
22 REINVESTMENT ACT OF 2009 FUNDING

23 Sec. 19. APPLICABILITY OF APPROPRIATIONS — TRANSFERS —
24 UNANTICIPATED FUNDS.

25 1. a. The appropriations of available federal grants,
26 receipts, and funds made to the departments and agencies
27 in division I of this Act do not apply to the federal
28 funding available through the federal American Recovery and
29 Reinvestment Act of 2009 for the fiscal years addressed by
30 the federal Act or to additional, unanticipated funding from
31 federal law enacted after the effective date of this division
32 of this Act.

33 b. However, if it is determined by the department of
34 management, with the written consent of the governor, that
35 federal grants, receipts, and funds available through the

1 federal American Recovery and Reinvestment Act of 2009 are
2 needed and are available without any match requirement and
3 have not been appropriated in this division of this Act or
4 are provided through federal match of state or local funds
5 that have been appropriated, the appropriations described in
6 paragraph "a" shall apply.

7 2. The department of management, with the written consent
8 and approval of the governor, may exercise the transfer
9 authority authorized in section 8.39, to transfer any of
10 the appropriations made in this division of this Act to
11 appropriations made from the general fund of the state for the
12 fiscal year beginning July 1, 2010, provided the transfer is
13 made within the same fiscal year. Any such transfer is subject
14 to the notice provisions of section 8.39, subsection 3.

15 Sec. 20. FEDERAL RECOVERY AND REINVESTMENT FUND
16 APPROPRIATIONS — FY 2010-2011. There is appropriated from
17 the federal recovery and reinvestment fund created in section
18 8.41A, to the department of management for the fiscal year
19 beginning July 1, 2010, and ending June 30, 2011, the following
20 amounts, or so much thereof as is necessary, to be used for the
21 purposes designated:

22 1. From funding designated for education stabilization:
23 For state foundation aid to schools, to be used as provided
24 in this subsection for state foundation aid to schools in
25 accordance with section 257.16, subsection 1:
26 \$ 25,343,000

27 a. The appropriation made in this subsection is in lieu of
28 an equal amount of the appropriation made from the general fund
29 of the state for the fiscal year beginning July 1, 2010, and
30 ending June 30, 2011, pursuant to section 257.16, and shall be
31 used to pay that part of state foundation aid which represents
32 the allowable growth amounts for all school districts under
33 section 257.8, subsection 1.

34 b. For purposes of distributing the appropriation made in
35 this subsection to school districts, the distribution amount

1 shall be calculated equally in the monthly payment to each
2 school district in the same ratio that the weighted enrollment,
3 determined in accordance with section 257.6, subsection 5, of
4 the school district for the budget year beginning July 1, 2010,
5 bears to the total weighted enrollment of all school districts
6 in the state for that budget year.

7 2. From funding designated for government stabilization:

8 For state foundation aid to schools, to be used as provided
9 in this subsection for state foundation aid to schools in
10 accordance with section 257.16, subsection 1:

11 \$ 22,604,797

12 a. The appropriation made in this subsection is in lieu of
13 an equal amount of the appropriation made from the general fund
14 of the state for the fiscal year beginning July 1, 2010, and
15 ending June 30, 2011, pursuant to section 257.16, and shall be
16 used to pay that part of state foundation aid which represents
17 the allowable growth amounts for all school districts under
18 section 257.8, subsection 1.

19 b. For purposes of distributing the appropriation made in
20 this subsection to school districts, the distribution amount
21 shall be calculated equally in the monthly payment to each
22 school district in the same ratio that the weighted enrollment,
23 determined in accordance with section 257.6, subsection 5, of
24 the school district for the budget year beginning July 1, 2010,
25 bears to the total weighted enrollment of all school districts
26 in the state for that budget year.

27 Sec. 21. COMMUNITY DEVELOPMENT BLOCK GRANT — AMERICAN
28 RECOVERY AND REINVESTMENT ACT.

29 1. There is appropriated from the fund created by section
30 8.41A to the department of economic development for the federal
31 fiscal year beginning October 1, 2008, and ending September 30,
32 2009, the following amount:

33 \$ 7,014,352

34 2. The funds appropriated in this section are federal
35 community development block grant funds awarded to the state

1 under the federal American Recovery and Reinvestment Act of
2 2009, Pub. L. No. 111-5.

3 3. The department of economic development shall expend
4 the funds appropriated in this section for infrastructure
5 improvements that modernize infrastructure, improve energy
6 efficiency, and expand educational opportunities and access to
7 health care, as provided in the federal law and in conformance
8 with chapter 17A. An amount not to exceed 6 percent of the
9 funds appropriated in this section shall be used by the
10 department for administrative expenses. From the funds set
11 aside for administrative expenses, the department shall pay to
12 the auditor of state an amount sufficient to pay the cost of
13 auditing the use and administration of the state's portion of
14 the funds appropriated in this section.

15 4. This section is retroactively applicable to October 1,
16 2008.

17 Sec. 22. COMMUNITY DEVELOPMENT BLOCK GRANT — DISASTER
18 RELIEF.

19 1. There is appropriated from the fund created by section
20 8.41 to the department of economic development for the federal
21 fiscal year beginning October 1, 2007, and ending September 30,
22 2008, the following amount:

23 \$516,713,868

24 2. The funds appropriated in this section are federal
25 community development block grant funds awarded to the state
26 under the federal Consolidated Security, Disaster Assistance,
27 and Continuing Appropriations Act, 2009, Pub. L. No. 110-329.

28 3. The department of economic development shall expend
29 the funds appropriated in this section for disaster relief,
30 long-term recovery, and restoration of infrastructure as
31 provided in the federal law making the funds available and
32 in conformance with chapter 17A. An amount not to exceed 3
33 percent of the funds appropriated in this section shall be used
34 by the department for administrative expenses. From the funds
35 set aside for administrative expenses, the department shall pay

1 to the auditor of state an amount sufficient to pay the cost of
2 auditing the use and administration of the state's portion of
3 the funds appropriated in this section.

4 4. If the actual federal funding received is less than
5 or greater than the amount appropriated in this section, the
6 procedures specified in 2007 Iowa Acts, chapter 204, section 16
7 or 17, are applicable.

8 5. This section is retroactively applicable to October 1,
9 2007.

10 Sec. 23. EFFECTIVE UPON ENACTMENT. This division of this
11 Act, being deemed of immediate importance, takes effect upon
12 enactment.

13 EXPLANATION

14 This bill appropriates for the 2010-2011 federal fiscal year
15 which begins October 1, 2010, block grants available from the
16 federal government and provides procedures for increasing or
17 decreasing the appropriations if the block grants are increased
18 or decreased.

19 The bill is organized into two divisions. The first division
20 makes appropriations for federal and state fiscal years
21 2010-2011 of recurring federal block grants and other nonstate
22 funds other than the federal funding available through the
23 federal American Recovery and Reinvestment Act of 2009 (ARRA).

24 Division II appropriates ARRA funding available for state
25 fiscal year 2010-2011.

26 Two provisions make appropriations relating to federal
27 community development block grant funding. The first provision
28 applies to federal FY 2008-2009 and the funding source is ARRA.
29 The second provision applies to federal FY 2007-2008 and the
30 funding source is the federal consolidated security, disaster
31 assistance, and continuing appropriation Act, 2009. Both of
32 the provisions are retroactively applicable.

33 The division takes effect upon enactment.